

September 14, 1960

Lynne Irrigation Company
c/o Mr. Harvey H. Stone, President
550 -4th Street
Ogden, Utah

Dear Mr. Stone:

Apparently considerable misunderstanding still exists as to the purpose of and reasons for organizing the Ogden River Water Users Committee and the powers of such an organization. We shall try to further clarify.

The State Engineer's office is charged with the administration of waters of the state and we did not at this time, nor at any time in the future, intend to relinquish this responsibility to any group of water users unless the legislature changes the law. However, we have found from experience that it is more expedient to work with a representative group of users than a large disorganized group.

Over the past years the many water problems on the Ogden River have necessitated the spending of considerable time by personnel of this office. We are glad to handle as many of these problems as our budget will allow. However, as is noted in Statute 73-5-1, distribution costs should be assigned to the water users. The purpose of the Ogden River organization is simply to work out with the State Engineer what is considered a reasonable budget and procedures for assessing the users, and then for spending the money. Should the water users not care to participate, we assume that, under the law, this office could still be required to establish a budget and assess the users and collect the moneys to meet the costs of distribution. But we still prefer to work it out jointly if possible. The by-laws referred to in your letter of September 8, 1960 were merely for the purpose of determining how representation would be obtained for the "conferences" with the State Engineer. They have nothing to do with anyone's water right. We, therefore, hope that the organization which we understand has been established will receive your support and suggestions as to methods of financing the distribution program on the Ogden River in the future.

Yours very truly,

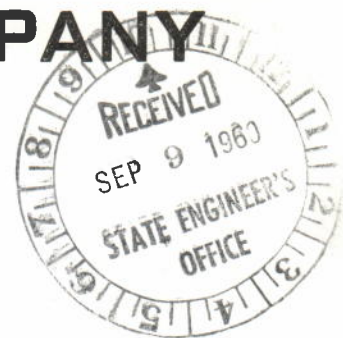
WDC/eca

Wayne D. Criddle

LYNNE IRRIGATION COMPANY

550 4TH STREET
OGDEN, UTAH

September 8, 1960



The State of Utah
Office of the State Engineer
State Capitol Bldg.
Salt Lake City, Utah

Attention: Mr. Wayne D. Criddle, State Engineer

Dear Sir: Re: Organization of an Association of Members of Water Rights
 of the Ogden River

During the process of the affairs of water, water rights, and water distribution throughout this season of 1960 someone proposed organization of the Ogden River users of water. The initiative of this proposal was voiced and heard during the annual user's meeting with your office January 13, 1960. Since that time an original draft of articles of association and two revisions thereto have been submitted to most of the various right holders by which to bind them in organization with powers and consequences.

By Friday, September 2nd, 1960 a meeting of the Board of Directors of the Lynne Irrigation Company considered these articles of association, their revisions, and the proposal to organize. After consideration, the Board decided that the Lynne Irrigation Company must not participate in this organization, and must not be bound in affiliation after this proposed manner.

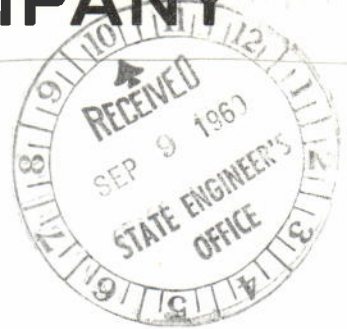
But since prompting to organize came through the State Engineer's office, the Board of the Lynne Irrigation Company determined that a letter of report back to your office would be a courtesy and in order.

An announcement, issued from your office August 1, 1960, of a meeting for the Ogden River Users of water, states for a purpose of this meeting, "(1) To review and consider for adoption new by-laws, prepared for governing the distribution of water on Ogden River."

The Board of the Lynne Irrigation conclude that no set of by-laws supersedes or substitutes for the state laws and court decrees in the government of the distribution of water on the Ogden River. This, in short, is the direct reason why such proposed organization is a superfluous and unnecessary one in the cause of water distribution on the Ogden River, and this is why Lynne Irrigation Company refuses to participate in any such organization or association, without mentioning details of such articles of association themselves and the powers which accrue to them, which though meant to be beneficial become sinister in effect.

LYNNE IRRIGATION COMPANY

550 4TH STREET
OGDEN, UTAH



Office of State Engineer - page 2

The Lynne Irrigation Company requests retention of its separate status with the office of the State Engineer in this company's responsibility to exercise its own rights upon the Ogden River. This company petitions your office for the continuity of the annual announcement calling a meeting for the purpose of your appointing a deputy commissioner, to distribute water on the Ogden River and of determination of the budget and such other business as may properly come before the assembly of the Users of Water on the Ogden River.

May this petition please be so.

Yours truly,

LYNNE IRRIGATION COMPANY

A handwritten signature in blue ink that reads "Harvey H. Stone".

Harvey H. Stone, President

HHS/ny

FROM THE DESK OF
WAYNE D. CRIDDLE
UTAH STATE ENGINEER

9-9-60

Don W.
Frank R. (for info. only)

Seems to me Lynne
Ing. Co. is completely
missing the ball park.
This organization is to
help us. If they don't
wish to participate then
we will have to assess
them + appt. commissioners
as we desire.

Will you prepare a
reply.

W D